

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: DEPUY ORTHOPAEDICS, INC., ASR HIP
IMPLANT PRODUCTS LIABILITY LITIGATION**

MDL No. 2197

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO-79)

On December 3, 2010, the Panel transferred 7 civil action(s) to the United States District Court for the Northern District of Ohio for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* _F.Supp.2d_ (J.P.M.L. 2010). Since that time, 682 additional action(s) have been transferred to the Northern District of Ohio. With the consent of that court, all such actions have been assigned to the Honorable David A Katz.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Ohio and assigned to Judge Katz.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Ohio for the reasons stated in the order of December 3, 2010, and, with the consent of that court, assigned to the Honorable David A Katz.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Ohio. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Oct 12, 2011

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

I hereby certify that this instrument is a true and
correct copy of the original on file in my office.

Attest: Geri M. Smith, Clerk

U.S. District Court

Northern District of Ohio

By: s/Victoria Kirkpatrick

Deputy Clerk

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SCHEDULE CTO-79 – TAG-ALONG ACTIONS

<u>DIST</u>	<u>DIV.</u>	<u>C.A.NO.</u>	<u>CASE CAPTION</u>
DELAWARE			
DE	1	11-00851	Wallace et al v. Johnson & Johnson Services Inc. et al
KENTUCKY EASTERN			
KYE	5	11-00308	Hancock v. DePuy Orthopaedics, Inc. et al
MONTANA			
MT	6	11-00052	Embrey v. DePuy Orthopaedics, Inc. et al
MT	6	11-00053	Vulk et al v. DePuy Orthopaedics, Inc. et al
NEW MEXICO			
NM	1	11-00856	Suzuki et al v. DePuy Orthopaedics, Inc. et al
NEW YORK WESTERN			
NYW	4	11-00797	Backert et al v. DePuy Orthopaedics, Inc. et al
NYW	4	11-00798	Borrino v. DePuy Orthopaedics, Inc. et al
NYW	4	11-00799	Thompson et al v. DePuy Orthopaedics, Inc. et al
NYW	6	11-06476	Frank et al v. DePuy Orthopaedics, Inc. et al
TENNESSEE MIDDLE			
TNM	3	11-00900	Robison et al v. DePuy Orthopaedics, Inc. et al